



January 19, 2016

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: *Ex Parte* Letter
CG Docket Nos. 10-51 and 03-123

Dear Ms. Dortch:

On Friday, January 15, 2016, Zainab Alkebsi, Policy Counsel at the National Association of the Deaf (NAD) and Claude Stout, Executive Director at the Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI) met with Karen Peltz Strauss and Robert Aldrich of the Consumer & Governmental Affairs Bureau along with Edward Smith from the Office of Chairman Wheeler regarding the above-referenced dockets, specifically in regards to the proposal to “freeze for a maximum of 16 months the rate of compensation paid to ‘small’ VRS providers, defined as providers whose monthly compensable minutes do not exceed 500,000 minutes” (Tier 1) ¹.

We recognize that this partial rate freeze is likely to ensure the survival of the small providers and maintain competition among all of the providers. While we applaud the efforts of the Commission in this regard as an initial step forward, we remain concerned with the potential impact of the ongoing rate cuts on other providers. We have seen and been alarmed by the deterioration of the quality of interpreting in VRS calls across the board, which appear to be exacerbated each time the Commission reduces the rates. Any decision by the Commission to cut rates has the unintended consequence of cutting the quality of services. Instead, rates should be tied to the level of quality of services through the establishment of quality measurements.

The Commission responded that they have not seen a significant number of complaints about the quality of interpreting in VRS calls and thus suggested that the Consumer Groups send out action alerts encouraging consumers to file complaints so that they can remain informed about such issues. As consumers unfortunately do not have confidence in the complaint process, we responded that the FCC’s continued reliance on complaints to decide what to do here is vexing, especially given the lack of private rights of action.

¹ See Notice of Proposed Rulemaking, CG Docket Nos. 10-51, 03- 123, at 10 (October 21, 2015) (“VRS NPRM”).

Although we are not in a position to objectively determine specific VRS compensation rates and measure whether the rates are reasonable or not, our stance remains that VRS providers must be compensated sufficiently to improve the quality of VRS through innovation, and to adequately train and pay their interpreters. Transparency on how each dollar is being spent is also a key component in ensuring quality.

We once again encouraged the Commission to make progress on the GAO recommendation² that the Commission establish performance goals and internal controls to oversee its national TRS Program. For some time, the Consumer Groups have advocated for service quality measures such as using a script to test the accuracy of VRS interpreters. The Consumer Groups previously proposed that the FCC commission a study “by an independent organization not affiliated with any stakeholder in the debate, to thoroughly examine user experience” such as quality.³ The Registry of Interpreters for the Deaf (RID) has similarly suggested that the Commission take a more active role in measuring the quality of interpreting in VRS calls and publishing reports on the quality of VRS calls.⁴ Performance audits (announced or unannounced) are vital for checking quality levels.

We appreciate the opportunity to discuss such an important topic and look forward to working with the Commission and industry stakeholders to improve the quality of VRS.

Please do not hesitate to contact me if you have any questions regarding this filing.

Respectfully submitted,

/s/

Zainab Alkebsi

Policy Counsel, NAD

cc (by email): Edward Smith
Karen Peltz Strauss
Robert Aldrich

² The GAO Report is available at <http://www.gao.gov/products/GAO-15-409>.

³ See Consumer Group Comments in Response to Notice of Inquiry, Structure and Practices of the Video Relay Service, CG Docket No. 10-51 (filed April 11, 2011).

⁴ See RID Ex Parte Letter to Marlene Dortch, CG Docket Nos. 10-51, 03-123 (filed April 7, 2014).